



05-06-05

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Adam H. MOLINA et al. Examiner: Unassigned  
Serial No.: 10/749,468 Group Art Unit: 3763  
Filed: December 31, 2003 Docket: 047711/0334  
Title: MULTIPLE LAYER TUBING AND METHOD OF MAKING SAME

CERTIFICATE UNDER 37 CFR 1.8: The undersigned hereby certifies that this Transmittal Letter and the paper, as described herein, are being deposited in the United States Postal Service, as Express Mail, (EV445627271US) with sufficient postage, in an envelope addressed to: Commissioner for Patents, Alexandria VA 22313 on May 5, 2005

By: \_\_\_\_\_

*Richard Ruggiero*  
Richard Ruggiero

Commissioner for Patents  
Alexandria, VA 22313  
Sir:

We are transmitting herewith the attached:

- ☒ Information Disclosure Statement Transmittal (in duplicate)
- ☒ Form PTO/SB/08
- ☒ Cited References (6)
- ☒ Copy of PCT search report
- ☒ Return postcard

Please charge any fees associated with this transmittal to Deposit Account No 50-0872. A duplicate of this sheet is enclosed.

Date: May 5, 2005  
FOLEY & LARDNER LLP  
2029 Century Park East  
35<sup>th</sup> Floor  
Los Angeles, CA 90067-3021  
1-310-277-2223 Office  
1-310-557-8475 Fax

By: \_\_\_\_\_

*Ted Rittmaster*  
Name: Ted Rittmaster  
Reg. No.: 32,933  
TRR/rsr



Atty. Dkt. No. 047711-0334

Applicant: Adam H. MOLINA et al.  
Title: MULTIPLE LAYER TUBING  
AND METHOD FOR MAKING  
SAME  
Appl. No.: 10/749,468  
Filing Date: 12/31/2003  
Examiner:  
Art Unit: 3763

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EV445624727US May 5, 2005  
(Express Mail Label Number) (Date of Deposit)

Richard Ruggiero  
(Printed Name)

*Richard Ruggiero*  
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**INFORMATION DISCLOSURE STATEMENT**  
**UNDER 37 CFR §1.56**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Submitted herewith on Form PTO/SB/08 is a listing of documents known to Applicants in order to comply with Applicants' duty of disclosure pursuant to 37 CFR §1.56.

The submission of any document herewith, which is not a statutory bar, is not intended as an admission that such document constitutes prior art against the claims of the present application or that such document is considered material to patentability as defined in 37 CFR §1.56(b). Applicants do not waive any rights to take any action which would be appropriate to antedate or otherwise remove as a competent reference any document which is determined to be a *prima facie* art reference against the claims of the present application.

**TIMING OF THE DISCLOSURE**

The listed documents are being submitted in compliance with 37 CFR §1.97(b), before the mailing date of the first Office Action on the merits, and within three (3) months of the mailing date of the foreign search report.

**RELEVANCE OF EACH DOCUMENT**

All of the documents are in English.

Applicants respectfully request that each listed document be considered by the Examiner and be made of record in the present application and that an initialed copy of Form PTO/SB/08 be returned in accordance with MPEP §609.

**STATEMENT**

The undersigned hereby states in accordance with 37 CFR §1.704(d) that each item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart application and that this communication was not received by any individual designated in 37 CFR §1.56(c) more than thirty days prior to the filing of the information disclosure statement.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 CFR §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 50-0872. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 50-0872.

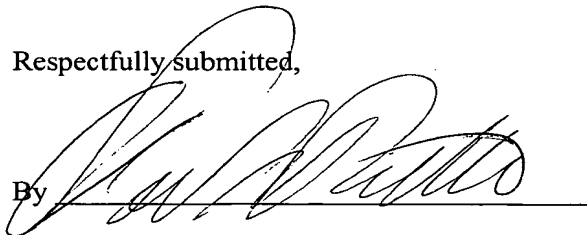
Respectfully submitted,

Date

May 5, 2005

FOLEY & LARDNER LLP  
Customer Number: 23392  
Telephone: (310) 975-7963  
Facsimile: (310) 557-8475

By



Ted R. Rittmaster  
Attorney for Applicant  
Registration No. 32,933

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Substitution for <del>GRADE 10B</del> /PTO <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b> Date Submitted: May 5, 2005 <i>(use as many sheets as necessary)</i>				<b>Complete if Known</b>	
				Application Number	10/749,468
				Filing Date	12/31/2003
				First Named Inventor	Adam H. MOLINA
				Group Art Unit	3763
				Examiner Name	Unassigned
				Attorney Docket Number	047711-0334
Sheet	1	of	1		

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NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.) date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>6</sup>
	A7	PCT International Search Report as issued in International Application Number PCT/US2004/042185, Mailing date April 18, 2005	

Examiner Signature		Date Considered	
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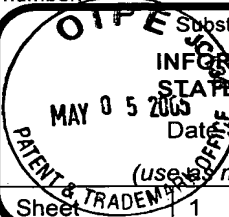
\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> Unique citation designation number. <sup>2</sup>See attached Kinds of U.S. Patent Documents. <sup>3</sup>Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup>For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document.

<sup>5</sup>Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup>Applicant is to place a check mark here if English language Translation is attached.

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 Substitute for form 1449B/PTO <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b> Date Submitted: May 5, 2005 (use as many sheets as necessary)		<b>Complete if Known</b>	
		Application Number	10/749,468
		Filing Date	12/31/2003
		First Named Inventor	Adam H. MOLINA
		Group Art Unit	3763
		Examiner Name	Unassigned
Sheet 1 of 1		Attorney Docket Number	047711-0334

U.S. PATENT DOCUMENTS						
Examiner Initials*	Cite No. <sup>1</sup>	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number	Kind Code <sup>2</sup> (if known)			
	A1	5,533,992		Patel et al.	07/09/1996	
	A2	6,136,394		Karsten	10/24/2000	
	A3	6,406,767		Mueller	06/18/2002	
	A4	2003/0099800		Miguel et al.	05/29/2003	

FOREIGN PATENT DOCUMENTS								
Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document			Name of Patentee or Applicant of Cited Documents	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T <sup>6</sup>
		Office <sup>3</sup>	Number <sup>4</sup>	Kind Code <sup>5</sup> (if known)				
	A5	WO	WO 03/064909		Natvar Holdings, Inc.	08/07/2003		
	A6	EP	EP 1267111A1		DSM N.V.	12/18/2002		

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.) date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>6</sup>
	A7	PCT International Search Report as issued in International Application Number PCT/US2004/042185, Mailing date April 18, 2005	

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